

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA

vs.

GANIU ADISA KOSOKO,

Defendant.

2:08-cr-0332-JCM-GWF

ORDER

This matter is before the Court on Defendant Ganiu Kosoko's Motion to Provide Booking Pictures of Defendant and All Co-Defendants (#222), filed August 12, 2010; Motion to Suppress Evidence in Violation of the Fourth Amendment (#223), filed August 17, 2010; Motion to Extend Pre-Trial Motion Deadline (#224), filed August 17, 2010.

1. Motion to Extend Pretrial Motion Deadline (#224)

The deadline for filing pretrial motions in this action passed on June 1, 2010. (*See* #125). Under Fed.R.Crim.P. 45(b), a party requesting an extension to the deadline to file pretrial motions must demonstrate good cause in order for the Court to grant an extension. In addition, where a party requests an extension after the motion deadline has passed, the party must show that he "failed to act because of excusable neglect". *Id.* The Court finds that Defendant has not shown good cause to extend the motion deadline and has not demonstrated excusable neglect for why he failed to request an extension prior to the motion deadline. The motion will be denied.

2. Motion for Booking Pictures (#222)

Defendant Kosoko filed the present motion 72 days after the motion deadline and offers no reason for the motion's untimeliness. In addition, Kosoko fails to provide any authority or basis for production of the photographs. The motion will therefore be denied.


...

1 **3. Motion to Suppress (#223)**

2 Defendant's motion to suppress was filed 77 days after the motion deadline. Even if the
3 motion was timely, Defendant does not set forth sufficient details for the Court to evaluate whether
4 a search or seizure occurred in violation of the Fourth Amendment. The motion states that a
5 Mercedes Benz was towed and alleges that a warrantless search of the vehicle occurred without
6 Kosoko's consent. (#223). However, the Court is unable to determine where or when the alleged
7 search occurred, who allegedly searched the vehicle, who owned the vehicle in question or what
8 materials were allegedly seized. (*See id.*) The motion also fails to set forth any authority
9 supporting Defendant's contention that the alleged search and seizure was in violation of the Fourth
10 Amendment. (*See id.*) As a result, the Court is unable to evaluate the merits of the motion and the
11 motion will be denied. Accordingly,

12 **IT IS HEREBY ORDERED** that Defendant Ganiu Kosoko's Motion to Provide Booking
13 Pictures of Defendant and All Co-Defendants (#222); Motion to Suppress Evidence in Violation of
14 the Fourth Amendment (#223); and Motion to Extend Pre-Trial Motion Deadline (#224) are
15 **denied.**

16 DATED this 10th day of September, 2010.

17
18 
19 _____
20 **GEORGE FOLEY, JR.**
21 **UNITED STATES MAGISTRATE JUDGE**
22
23
24
25
26
27
28